

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 1:09CR162-P-D**

**PHALON LAQUINA RUCKER,  
JOHNNY RAY YOUNG,  
and MYTISHA ADAMS,**

**DEFENDANTS.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendant Mytisha Adams's motion to continue trial [31]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for March 22, 2010. Defense counsel requests a continuance to afford more time to negotiate with the Department of Justice regarding the Federal Diversion Program.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from March 22, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial. The time is also excludable as to Defendant Adams's co-defendants pursuant to 18 U.S.C. section 3161(h)(6) because the period of delay is reasonable and no motion for severance has been granted.

**IT IS THEREFORE ORDERED AND ADJUDGED that:**

(1) Defendant Mytisha Adams's motion to continue trial [31] is **GRANTED**;

- (2) Trial of this matter is continued **as to all defendants** until Tuesday, June 1, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from March 22, 2010 to June 1, 2010 is excluded from Speedy Trial Act considerations as set out above;
- (4) The deadline for filing pretrial motions is May 11, 2010; and
- (5) The deadline for submitting a plea agreement is May 18, 2010.

**SO ORDERED** this the 9<sup>th</sup> day of March, A.D., 2010.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE